REMARKS

Applicant thanks the Examiner for examining the application, and for indicating that claims 2-10, 12-20, and 23-25 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Applicants elect not to do so at this time, but reserve the right to do so at any later time, including after the filing of an Advisory Action by the Examiner. Claims 1-21 and 23-25 are now pending.

Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 11, and 21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,832,298 to Sanchez et al. in view of U.S. Patent No. 6,664,988 to Rollins.

In his response to Applicant's arguments made in the previously filed Amendment and Response, the Examiner states that "the applicant mischaracterizes the teachings of Sanchez" (Final Office Action, page 4), and that "the spirit and essence of the teachings of with network parameter information to form a correlation result representing an interoperability configuration of the software and the at least one network component; and outputting the correlation result to support automatic configuration of the at least one network component and the software for operation on the at least one network component and the current invention are in substance the same" (Final Office Action pages 4-5). Applicant believes that the Examiner meant to say that it is "the spirit and essence of the teachings of Sanchez" regarding those elements that are in substance the same as the current invention. Regardless, Applicant respectfully disagrees with each of the Examiner's arguments. In response, Applicant presents the following arguments regarding Applicant's independent claims 1, 11, and 21.

Applicant's independent claim 1 requires, among other things, receiving a selection of at least one network component graphic representing at least one network component for use in a network; obtaining corresponding hardware configuration information associated with the at least one network component that corresponds to the selection of the at least one network component graphic; and receiving a selection of at least one software component graphic representing software for installation and operation on the at least one network component in the network, the software component graphic having associated software configuration information. The Examiner cites to col. 4 lines 1-20 for each of these limitations, as teaching or suggesting these limitations, and also to col. 6 lines 48-61 for the second receiving limitation as teaching or suggesting that limitation.

However, neither in the cited sections nor elsewhere does Sanchez et al. teach or suggest receiving a selection of at least one network component graphic representing at least one network component for use in a network; obtaining corresponding hardware configuration information associated with the at least one network component that corresponds to the selection of the at least one network component graphic; and receiving a selection of at least one software component graphic representing software for installation and operation on the at least one network component in the network, the software component graphic having associated software configuration information, as required by Applicant's independent claim 1.

The cited sections of Sanchez et al. state as follows:

> The method includes the steps of interrogating the peripheral device for its current configuration and capabilities, receiving current configuration and current capabilities information from the peripheral device, generating, based on the received information, a graphical user interface which includes a representative graphical image of the peripheral device, displaying on a monitor the graphical user interface and the representative graphical image of the peripheral device which reflect the current configuration and the current capabilities of the peripheral device in accordance with the received information, displaying user-selectable job options based on the current configuration and current capabilities of the peripheral device, re-displaying, in response to a user selecting at least one user-selectable job option, the representative graphical image of the peripheral device set to perform at least one specific job option based on the at least one user-selectable job option selected by the user, and

> downloading the peripheral device job option data in accordance with the user-selectable job option selected. (col. 4 lines 1-20)
>
> As shown in FIG. 4, printer/facsimile driver 40 is used with conventional software application 50, such as Word for Windows or Wordperfect.RTM. for Windows which allows a user to prepare, edit and print documents. When a user enters a print document request, application 50 invokes a standard Graphics Device Interface (GDI) 52 which, in turn, invokes core printer driver 53 which operates in accordance with the present invention. If printing is desired, core printer driver 53 simply assembles the print job from application 50 and spools the print job to Windows spooler 55. In a conventional manner, Windows spooler 55 then outputs the print job over the network using conventional means between the Windows operating system and the network software and hardware installed on the network. (col. 6 lines 48-61)

In the cited sections, Applicants note that it is only **after** the peripheral device has been interrogated for its current configuration and capabilities, that information about the device's current configuration and capabilities is received from the peripheral device; *see at least* col. 4 lines 1-5. Then – that is, **after** the information about the device's current configuration and capabilities is received – the received information is used to generate a graphical user interface; *see at least* col. 4 lines 5-7. The generated GUI includes a representative graphical image of the peripheral device, *see at least* col. 4 lines 6-7, and the generated GUI is then displayed on a monitor, *see at least* col. 4 lines 7-12. To summarize, the order of the steps followed in Sanchez et al., according to col. 4 lines 1-20, are:

1. Interrogate device for current configuration and capabilities
2. Receive current configuration and capabilities from device
3. Display GUI including representation of device, GUI generated from received current configuration and capabilities

This order is in direct contrast to Applicant's independent claim 1, which requires obtaining corresponding hardware configuration information associated with the at least one network component **that corresponds to the selection of the at least one network component graphic** (emphasis added). In other words, the at least one network component graphic must be displayed **prior** to obtaining (or receiving) the configuration information, because the configuration information obtained is associated with a component that corresponds to the selection of the at least one network component graphic. That is not the case in Sanchez et al., and indeed, Sanchez et al. teaches away from this very situation. For this reason alone, Applicant's independent claim 1 is not taught or suggested by Sanchez et al., and is thus allowable over Sanchez et al.

In addition, Applicant's independent claim 1 also requires a second receiving step, namely receiving a selection of at least one software component graphic representing software for installation and operation on the at least one network component in the network, the software component graphic having associated software configuration information. Lines 1-20 of col. 4 of Sanchez et al. teach only one instance of a user selecting something (and thus teach only one instance of a selection being received), which is when the user selects a user-selectable job option, *see* col. 4 lines 14-15. A job option is an available setting on a task to be performed by the peripheral network device, such as whether or not to staple or sort documents; *see at least* Figs. 6A-6F of Sanchez et al. and *at least* the accompanying description of these Figs. in col. 8 line 43 to col. 10 line 34. A job option is not software for installation and operation on the at least one network component in the network, as required by Applicant's independent claim 1. The Examiner seems to attempt to find such software through the citation of col. 6 lines 48-61. Though lines 48-61 of col. 6 of Sanchez et al. do disclose various software applications – including Word®, WordPerfect®, a printer/facsimile driver 40, a GDI 52, a core printer driver 53, and the Windows® spooler 55 – none of these software applications are represented by a software component graphic that is received as a selection, as also required by Applicant's independent claim 1.

Thus, for at least the reasons given above, Applicant's independent claim 1 is not taught or suggested by Sanchez et al., either alone or in combination with Rollins. Applicant's independent claim 1 is therefore not obvious in light of

Sanchez et al., either alone or in combination with Rollins, and thus Applicant's independent claim 1 is thus allowable over Sanchez et al. in view of Rollins.

Applicant's independent claims 11 and 21 all include limitations similar to those of Applicant's allowable independent claim 1. Therefore, for at least the reason(s) given above with regards to Applicant's allowable independent claim 1, Applicant's independent claims 11 and 21 are themselves not obvious in light of Sanchez et al. in view of Rollins, and thus, Applicant's independent claims 11 and 21 are allowable over the combination of Sanchez et al. with Rollins.

CONCLUSION

Applicant believes this Amendment and Response to be fully responsive to the present Office Action. Thus, based on the foregoing Remarks, Applicant respectfully submits that this application is in condition for allowance. Accordingly, Applicant requests allowance of the application.

Applicant hereby petitions for any extension of time required to maintain the pendency of this case. If there is any fee occasioned by this response that is not paid, please charge any deficiency to Deposit Account No. 50-3735.

Should the enclosed papers or fees be considered incomplete, Applicant respectfully requests that the Patent Office contact the undersigned collect at the telephone number provided below.

Applicant invites the Examiner to contact the Applicant's undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,

__________/SPM________________
Shaun P. Montana, Esq.
Attorney for Applicant(s)
Registration No.: 54,320
Chapin Intellectual Property Law, LLC
Westborough Office Park
1700 West Park Drive
Westborough, Massachusetts 01581
Telephone: (508) 616-9660
Facsimile: (508) 616-9661

Attorney Docket No.: SUN03-08(030122)

Dated: December 26, 2007